tains of your room. Did you know that he was there?"

Chorus of jurors.—We had no idea that he was there. He must have been there when we entered. He hasn't said a word to us.

Judge Barreit.—You discovered him by accident, and therefore reported it to me?

The jurors assented. The reporter was brought before the Court. His name is Choats. He said he had conceased himself in the room before the jury entered. The lawyers for the defence asked to have him punished.

Judge Barreit said it was a case for the District Attorney's office. Meanwhile the reporter was compelled to give up his copy." It was in his bootles. Juror Charles A. Pratt discovered him behind the curtains. Choate was let go.

ered him behind the curtains. Choate was let go.

THE JURY RETIRE AGAIN.

Choate refused to take an oath not to use the knowledge he had obtained in the jury roun. The jury on tehal, it seemed, of one or two members, asked Judge Barrett to instruct them on the meaning of "criminal intent."

T define it." he said. "as meaning the doing of an unlawful thing, intending to do it. Ignorance of the law is no excuse.

Mr. Bird took an exception. The jury retired again at 12:15 o'clock. This time they only went through the form of retiring and organizing. They had practically reached a decision already.

A time for the way all the said was all the said was all the said was all the said was all the said of the law is no excuse.

They had practically reached a decision already.

A time for the said was all the said was the said was all t GVILTY.

At 12:22 Judge Barreit entered the room, and the crowd, which had filled the corridors outside, nushed in and took chairs. Sheriff Flack sat in his accustomed seat and looked stoildly at the jury box. When the jurymen filed in they were their overcoats and carried

filed in they were their overcome and carea, hats and carea.

For the first time Sheriff Flack looked really interested. He held a folded piece of paper in his hand, and with this he began to drum on the table. The clerk called the roll and asked in the usual formula whether a verdict had been decided upon. The foreman, without rising, said they had come to a decision. Sheriff Flack began to beat the table quite hard with the folded paper, as the clerk asked what the verdict was. the verdict was.

We find the defendants guilty, and strongly recommend them to the extreme morey of the

There was a minute's slience. Sheriff Flack's face was stold. He had stopped drumming on the table. William Flack, who sathear the wall, blinked his eves rapidly, but gave no other sign of feeling. Mr. Meeks looked for a moment heartbroken, and then pulled himself together with evident effort. After each juryman had announced his assent. Mr. Bird arose and asked gravely addressing the jury:

"Do you find the same verdict in the cases of all three?"

"In the cases of all three," said the forement. There was a minute's silence. Sheriff Flack's in the cases of all three," said the foreman. while others needed.
Judge Barrett then thanked the jury in a
Jew words, and dismissed them.
Two FOR ACQUITTAL AT FIRST.

Two for acquittal at First.

They filed rapidly out, answering questions by the statement that they had agreed to say mothing of what had happened in the jury room. It was learned, however, that there were only two ballots. The first was taken soon after they had assembled, and resulted in eight voting for conviction and two for acquittal, with two blanks. A general discussion followed. The second ballot was unanimous for conviction. But nearly all expunshed to the full extent of the law.

THE DEFERDANTS NOT IN CUSTODI.

THE DEFENDANTS NOT IN CUSTODY. As soon as the jury had retired from the court room Assistant District Attorney (foff said to Judge Barrett in a low voice, that he thought, that as regarded the taking up of hail, the defendants should be treated in the usual way. Mr. Russell was on his feet in a moment and moved that sentence be suspended as long as the law allowed, that is, two days. Judge Harrett cut short all motions by saying that he had great doubt as to the power of the Court to do any other business on Sunday than merely to hear the verticit. In view of the doubt he adjourned further proceedings until 10 o'clock on Monday morning, when he ordered all interested to be present.

morning when he ordered an interest as present.

Sheriff Finck said nothing to any one at the close of court. He went out with Mr. Russell.

Mr. Russell said the verdict was unexpected. and Mr. Bird declared emphatically that it wouldn't stand. The declared emphatically that it wouldn't stand. The declared emphatically that it wouldn't stand. The declared emphatically move on Monday for a new trial, All three defendants are out on the same built of \$5.000 each that they have been under all along. This will expire on Monday at their appearance in court.

PENALTY ON CONVICTION OF CONSPIRACY.

from office and appoint a successor. Col. Fellows said last hight.

"The law would not leave Mr. Flack, if convicted, to act as sheriff, the la liable at any time, either before a verdict is rendered or while the trial is going on, to be placed in actual custody if the Court sees fit to so order. Any peace officer can arrest him. In such a case he would be taken to the Tombs. In this courty—the only one in the state—the city prison is in the Jurisdiction of the Commissioners of Charities and Gorrection, and they would receive Flack the same as they would any other prisoner."

The defendants are under \$5,000 bail, and Judge Barrett would not be required by law or custom to put them under arrest, as soon as

THE LAST DAYS TESTIMONT.

William L. Flack was the principal witness of the day. He testified that he was at West Point one year. He left there because of ill loaith and had been in his ather's business ever since. That was fifteen years ago.

Q. Did you know of any differences between your father and mather prior to the beginning of last year?

A.—'or the partimone growth in beginning of last year?

Q.—From which one or them old you obtain your Q.—But you have sell county and the county of the partimone of them old you obtain your quality of the county? Need we feel alarmed because he is the first executive of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county? Yet he is held up as such for the purpose of the county of the purpose of the county? Yet he is held up as such for the purpose of the county of the purpose of the purp

the firm? A - In (**?).

The witness testified that he had made some electers for his mother and that she had it actived writing her name under his instructions, once in a while he wrote letters for her.

Bodace Bussell, for the ferrical presence of the bodace Bussell, for the busice. Holder Bussell, for the Bodace Bussell, for the Bodace Bussell, for the Bodace Bussell, for the Bussell, for the Bodace Bussell, for the Bussell,

heard lieferee Meaks resulting a paper in the presence of the two ladies and the Justice.

Hotace busseld, for the Dependent and the Justice.

The defence rested at noon, and C.4. Fellows and he had nothing further to offer, it was 12:10 when Mr. Russell began summing up. Some of the notable things he said were these:

When their the Justice Attorney's office some years ago I don't himk I had distinguished mysoif for any great ability as an advocate or pleader, but I did leave beind the reputation for fairness. Only once since those days have I been concerned in a criminal trial. I only speak of these things because I leel my weakness in handling a case of such magnitude, and that I may have your symmetry in a case so full of misrepresentations of facts and exaggerations of little things. Never have I seen a greater excess of zeal to pervert little facts in a criminal case or the prosecution more zealous to magnify mistakes and irregularities. I want to say to you gentlemen, that it is my rule never to take a criminal case when I do not, after a full examination of the facts believe my client guilliess. I want to tell you also that I can afford to be independent of criminal practice. In this case I am defending three gentlemen who have led upright and honorable lives. I have no wish to inneril their freedom and reputations by any mistakes I may make in addressing you. Therefore, I crave your indulgence. There is not any question that they have made mistakes and committed fregularities, but I think you will see that errors have been magnified into a crime. In my opinion the defendants here have been persecuted worse than any human being ever was in modern times. Since I was a boy my symathies have been with the under dox. When Judge Monell lay dying, he sent for me and said he had been charged with all kinds of villathy in this case, and he wan ed in to vinderate him before the work. I knew him to be an uprach and inner allow and intend, how, gentlowed to rever ustile.

May I say one word to you personally? We a

her interest, lease, there are remove a characteristic property of the company of

"There is not an act from the beginning to the end of this case that can be inid at the doors of William L. Flack. By an act of mon-umental folly on the part of Judge Bookstaver.

During the latter part of Mr. Russell's address Judge Grey of the Court of Arpeals and Judge Ingraham were upon the bench with Judge Barrett. In rising to sum up for the prosecution Co. Fellows turned around and faced

sentiments. Do you believe that? Can you explain from your knowledges of human thoughts leading up to human acts, how aby should do that? Why abe should do it? Tell me, gentlemen of the defence, what is the explanation of Mary E. Flack's change? Don't you believe her story? Bon't you believe that these men imbosed upon her and got her to do whatever they wished?

WHY WAS IT DONE IN THE DARK?

"If she was cognizant of the divorce action, why the necessity of all the secrecy? You have been told that it is a common practice in this state to obtain secret divorces. The venerable Fullerton went so far as to say it was the law. I asset, without fear of contradiction, that the law requires the greatest publicity in all divorce cases as to the fact of the decree. Now, why was the lact of the decree on this case or coneaded? Why is fit that you never before saw or heard of such a record as appears in the case of Flack ast, Flack? The fact was not published as required by he curlous reporters for weeks after it was granted. I would like to have Junge Russell show me my where in this rate a parallel case. Now, honestly Judes, did you ever hear of a case begun. conducted, and consummated like this case? Were these men fools, utterly ignorant? Men like Bookstaver. Ambrose Moneil, Benjan in Wright, and Joseph Mecks. did they know what they were doing, or were they innocent partice to a plot conceived in a conversation between Sheriff Flack and Ambrose Moneil? Can you tell me why, if Mrs. Flack was a party to this action, did they begin and carry out these unlearded proceedings, tell me, if you can, why these proceedings, tell me, if you can, why these proceedings were done in the dark in a most extraordinary way? Is it not true, if she did not know of the suit that all these proceedings are usually accounted for, and as clear as the noonday sun? When the Judge signed a decree, if the testimony of Mecks. Is true that Judge knew that the attorney of record had not complied with the cole of procedure.

Was No exhits committed i

Fears, who was referee, he would have mad to that the pointiff of third the pointiff of the dovere under the evidence.

Sonorn Believed Mrs. Plack's Devilla, 2000 and the pointiff of the serious desired to the control of the sound of the s

"Before proceeding to give you the instructions which I intend to give you the instructions which I intend to give you, we may as well settle at the outset a question which was suggested by some remarks andressed to you by the counsel for the defendants and emphasized by a request to charke in language which was unusual and such as was never before addressed to me on the bench. You are the exclusive judges of facts. I wish you to go to your jury room and deliberate in this case with the full sense, not only of that responsibility, but also of the feeling that it is a niceasure to the Court to indicate to you that that responsibility dovolves exclusively upon you. I have no desire to affect your minds or influence you otherwise than as I owe to you in the slue performance of my important duties. I say even this much, not from any personal feeling in the matter, but because there is something for above personal considerations here, and that is the administration of matter, and it is of importance in the administration of matter and it is of importance in the administration of matter that there should be perfect confidence between the SUIGE BARRETT'S CHARGE.



The above idustrates the methods used by some deal — Sometimes a dealer will say be to resto sell other preparations when flood's Sarsaparilla "Out of Hood's" is called for. The substitute preparations cost less than

Hood's Sarsaparilla

nately for the public, they are rapidly passing into gen-

The Following Arguments, Used by dealers who try to take improper advantage of the legitimate demand which its merit and its advertis-

"Our Own Make"

Proves nothing as to merit and merely admits imita-tion. Do not be deceived by such filmsy argument. In-

"Twice as Big"

Does not demonstrate any economy, for the larger the quantity the weaker the medicine and the greater the does. Hood's barsaparilla is the most highly concen-trated and therefore the most economical medicine to buy. It is the only preparation of which it can truly be

"Refund Your Money"

This promise is increly trifing with the feelings of customers. The dealer knows you will not return a bottle of medicine and demand the price paid. The heat way is in the first place to insist upon having flood's Sarasparilla, which you know you will not want

Be Sure to get Hood's

100 Doses One Dollar

not be created. And that is true. There is no case in which the uror cannot in his discretion give the prisoner the benefit of a good character, no matter what the testimony may be.

ter, no matter what the testimony may be.

CAN MIS, FLACK BE BELIEVED?

"After you have considered these beneficent considerations of the law the case still remains unsettled. The first question is the question as to whether the suit itself was falsely instituted. That depends upon two considerations. The first is, of course, whether Mrs. Flack is to be credited in her statement that she did not want a suit to be brought for an actual divorce. That is a question exclusively for you to decide. If you believe that she has committed perjury in one branch of the case,

col. Frainces for the court of Appella and the control of the control of the control of Appella and the control of the control of Appella and the control of the control of

No, Thank You, Gentlemen, I want HOOD'S Sarsaparilla, for I know that is the Best."

if he thinks the customer will not go to another store to buy what is wanted. Then he proceeds to dilate upon

Hood's Sarsaparilla

and if he falls to sell it, will discover a bottle of Hood's Sarsaparilla on hand.

"As Good as Hood's"

To say this is to admit that Hood's Sarsanarilla is the standard and possesses superior merit. The falsity of the claim is also apparent. Hood's Sarsaparilla is the result of long experiment, study, and research by ther burshly educated pharmacisis, and it is impossible for Process, in consequence of which it effects remark-able cures where other preparations fail.

that efforts like the above to trade upon the reputation of Hood's Sarsaparilla and to force inferior articles up-

The complaint charges, upon information and belief, that the defendant committed adultery with one Susan T. Reynolds. Now what was the condition of things when Mrs. Flack signed that: She says she had no knowledge of the fact. Until she received this compaint she was not in a position to make any charge against him. Her husband substantially confesses to the allegations to be made use of against him, that he was guilty of adultery. That is what he wanted her to swear to, and that is the origin of this suit. There is not a particle of evidence in the case that the defendant ever went by the name of Reynolds. The two witnesses who testified to the adultery on which the decree was made base told us they never knew him by that name. Mr. Meeks tells us that he never say the order of reference until the decree was made have told us they never knew him by that hame. Mr. Meeks tells us that he never saw the order of reference until he had acted upon it. That he took an oath of office on the statement of Mr. Monell that he had been appointed. The means adepted by Mr. Meeks in taking the deposition of the witnesses were the reverse of the practice of the court and the laws of the land. It impears that Mr. Monell drafted these affidavits from the information received from Mr. Flack, and Mr. Meeks simply copied the draft. He should have had the witnesses sworn before him and examined them. He had not signed the order of reference when he took the deposition, according to his own statement. If he had done his duty be would have learned that the witnesses fever knew the defendant by the name of Reynolds; they knew him as laymond. If he had done so this decree would not have been granted.

WHELEIN THE SHERHET ESCAPES ACCUSATION.

WHEREIN THE SHERIFF ESCAPES ACCUSATION. "Then came the condition of things which I have stated to you were fraudulent beyond any mistake. That was when the Judge refused mistake. That was when the Judge refused to grant the decree because of the name of Moneli. There is no such thing as a substitution of attorneys to erasure. It is no defence to such an act that it was directed by the order of the court. If the Judge orders such a thing the attorney is bound to refuse. Mr. Meeks conceles they tore us the summens and substituted a new one; that he erased the name of Moneli and inserted Wright's. These were devices which must be characterized as fraudulent.

It is not a question as to whether there

vices which must be characterized as fraudulent.

"It is not a question as to whether there was a rean cause of action. The question is whether the law was not abused and reverted by fraudicent practices. That brings me to the final consideration of the case. Mr. James A. Flack is not connected directly or indirectly with these fraudulent changes. The case against him rests upon his wife's testingny and the manner in which this suit was brought by charging the adultery with Sarah F. Reynolds, by the assistance given to the preparation of the affidavits of Margaret Smith and Kate Cannon. The case as to Weeks is affected only by what happened after he went to Wright. The case as to Will Flack depends upon considerations which have been given to you as to his participation in the different proceedings which were taken and particularly by the letter which he addressed to benchmin Wright.

Now, gentlemen, applying the rules with regard to conspiracy and the general rules of the law which have stated, and taking all the evidence which has been offered, and looking at the entire case in its length and breath, I leave it to you whether there is or is rot any reasonable doubt as to the guilt of these defendants. If there is any reasonable doubt as to the guilt of these defendants. If there is any reasonable of them, you should so declare. This is a very grave matter for these defendants. Look at the mitter wholly, impartially. Take the facts just as they are, and render such redeficial a respery falls from those facts. Be neither desirous to punish a public officer of high standing nor be affected by any desire to shield a repulsing file in. Hefore the law was are equal, great and small. These defendants are guilty or not. If there is a reasonable doubt of their guilt, it will be your obvasure to say so. If you conclude that there is no reasonable doubt as to the guilt of one or all, it is fer you to say so."

The Jury retired at 9:05 P. M.

GEN. SCHENCK DANGEBOUSLY ILL. An Attack of Passmonta that his Besters Think will Prove Patal.

WASHINGTON, March 22. Gen. Robert C. Schenck, the soldier, Congressman, and diplomat, is suffering from pneumonia, superiaduced by severe bronchitis, and, in view of his extreme age, his doctor has but little hope of his recovery. About five years age Gen. Schenek was supposed to be dying with Bright's dis-ease, but a rigid diet of bread and milk saved his life, and he has been since that time com-paratively well. The General, with his wife and two daughters, lives in a large and inshionable house on Thomas Circle, just across Fourteenth street from the residences of Senators Morrill, Allison, and Payne. Since being restored to health the Gen eral has occupied himself as a counsellor at law, and has lived in semi-retirement. He has been engaged in many important legal cases, but has not appeared in court for screen years. He is on terms of the closest intimacy with the prominent men of the capital of both political parties, and he is often sought for to give political and legal advice. One of Gen. Schenck's warmest and closest friends in Secretary Biaine, who has great admiration for his friend's abilities as a lawyer, politician and diplomat, and has sought his aid in the preparation of many State papers.

COL. INGERSOLL AT THE LOTOS CLUB, He Talks About Beath and Tells How He Would Have Made the World,

The Lotos Club celebrated the twentieth anniversary of its organization by a banquet in the club house, at Twenty-first street and Fifth avenue, last night. The parlors were beautifully decorated with bunting, flowers, and paims. Each guest received as a souvenir of the occasion a unique collection of four photo-gravure pictures by well-known artists, President Frank B. Lawrence sat at the centrof the table. At his right sat Mai.-Gen. J. M. Schoffeld, at his left the Hon. Robert B. Roosevelt, and next to him sat Col. Robert G. Ingersoil. Col. Ingersoil was one of the speakers. He said, in part:

Sometimes I think, and especially when I

am at a meeting where they have what they call reminiscences, that a world with death in it is a mistake. What would you think of a man who built a railroad knowing that every passenger was to be killed - knowing that there was no escape? What would you think of the cheerfulness of the pa-sengers if every one cheerfulness of the passengers if every one knew that at some station, the name of which had not been called out, there was a heares waiting for him; back up there horses fighting flies, driver whistling, waiting for you? Is it not wonderful that the passengers on that train really enjoy themselves? Is it not magnificent that every one of these under perpetual sentence of death after all can dimpe their cheeks with laugater; that we every one doomed to become dust, can yet meet around this table as juli of joy as spring is full of life, as full of hope as the heavens are full of stars? I tell you we have got a good deal of pluck.

And yet, after all, what would this world be without neath? It may be from the fact that we are all victime, from the fact that we are all victime, from the fact that what ever the fact is. I am perfectly satisfied that the highest possible philosophy is to epply today, not regretting yesterday, and not fearing to-morrow. Applianse, So, let us suck this crange of life dry, so that when death descome, we can politely say to him. You are wellowed, the play called life. Suppose that when death descome, we can politely say to him. You are wellowed to the peedings. What liftle there was we have enjoyed.

But there is one splendid thing about the play called life. Suppose that when you de that is the end. The last thing that will happen to you is the curring, not falling, but the curring relaming to mother thought, so that say far knew that at some station, the name of which

All We Ask

Is this: If you deckle from what you have heard or read of the merits of Hood. Sarsayarilla and the good it has done others that you will try it do not be induced to take anything else. Insist upon having flood's Sarsayarilla, and the good in the form of the

to take anything else. Insist upon having flood's sarsaparilla.

The Spring Medicine
It is unquestionably the best blood puriner before the people. It cures scrotola, sait rheum, and all other humors, dysperbia billiousness, sick headarbe. It over comes that tired feeling, creates a good appetite, and makes the weak strong

Ser Hood's

Sarsaparilla. Sold by all druggists \$1; six for \$5.

Fregared by C 1 ROOD A CO. Lowell, Mass.

100 Doses One Dol ar

The complaint charges, upon information and belief, that the defendant committed adultery.

She Will Not be Permitted to Nurse Lep Francisco, March 22.-Dr. J. M Whitney of Honolulu, who arrived here on the

steamer Australia yesterday, says that Sister lous to nurse lepers at Molokai, will not become an exile in the leaver settlement and percome an exile in the least settlement and perhaps die there, as she untichated. The settlement of Malokai is in charge of fisters of the Sacred Heart, who are maintained there by the Hawaiian covernment and as Siser Rese Gertrade belong to another order the least minican Sisters—she cannot be admitted. She is theret for all knill, the receiving station for leners, or those who are supposed to have contracted the disease. There they are cared for until it can be determined what their aliment ready is. Dr. Whitney says she is very comfortable at Kahii and not foliated, though she is disappointed in her expectations.

The Temperature of the Wesk and the

Washington, March 22,-The signal office weather crop bulletin says: "The week ending March 22 has been warmer than usual, except in the South Atlantic States, and on the Pacific coast where the temperature has been slightly below the normal. In the central valleys and the Northern States east of the Missisthe Northern States east of the Mississippi the temperature of the week has shippid the stage of the week has differed but slightly from the normal the average daily excess ranging from Italian degrees, but on the eastern slope of the Borky Montains, extending from Fexas to Inketa and Montains, extending from Fexas to Inketa and Montains, the week has been nousially warm, the daily temperature ranging from to Italian the horizon conditions for the season from an I to March 22 show that the daily average temperature over the greater portion of the country east of the Mississippi and three ghout the Southwest has been from four to six degrees higher than usual, while a deficiency in temperature exists in the extreme Northwest where the winter has been much colder that, usual.

Torundo in South Carolina. CHESTER, S. C., March 22. A destructive

ternade passed over the vilinge of Edgemeer. near Chester, this afternoon. Fourteen houses were blown down, a negro name i James Miller was killed, and several persons seriously in-jused. The roof of the Goorga, Caronna and Sorthern Depot was bown had a mile away. Robinson & Bros. establishment and Diskey's drug store were totally dem lished. Lige-moor's new church was also destroyed.

Dancer Martinetta Divorced.

Ignacio Matthieu, known on the singe as Ignate Martinetta one of the family of stage dancers of that name who is now playing at the Bijon T sairs In this city, has been divorced from his wife hy futge In the city, has been divirced from his wife by Judge Friedman, in an action brought in January (as by Friedman, in an action brought in January (as by Friedman, She is known on the stagels Miss Morrain and be praying in the Bluebeard Jr. comman, the was married to Matchieu in 1880 in Boards, which was the property in Desiman Thomas in Judga Miss comb company. Mr. Thompson are the frideward to the "Little Purk" and still Agric Commander Mrs. Matchieu alieged adultery, and her in shand but in a centeral denial. Ex Reporter James unith was the wife. I put this report the decree has been level 1

Himrod's Whooping Cough Cure instantly releves the wholes and gives rest to the patient with notil affected for safe by druggists. Aft.



